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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
GRAHAM KANDIAH, LLC and DIANE GRAHAM,

Plaintiffs,

against -

JPMORGAN CHASE BANK, N.A. and
CHASE BANK USA, N.A.,

Defendants.
-----X

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/19/2008

Docket No. 08-CV-6956(JGK)

(ECF CASE)

STIPULATION

WHEREAS, plaintiffs initiated this action in State Supreme Court, County of New York, and defendants acknowledge receipt and proper service of the summons and complaint on July 30, 2008; and

WHEREAS, defendants removed this action to this Court by Notice of Removal filed on August 5, 2008; and

WHEREAS, plaintiffs have informed the Court of their intention to move to remand this case to the State Supreme Court;

WHEREAS, pursuant to Fed. R. Civ. P. 81(c)(2), defendants' time to answer or otherwise respond to the complaint is currently August 19, 2008; and

WHEREAS, the parties' counsel have conferred regarding the timing of plaintiffs removal motion and defendants' time to answer or respond to the complaint;

IT IS HEREBY STIPULATED AND AGREED that:

1. Plaintiffs' motion to remand, if any, shall be filed on or before August 29, 2008, with the parties to confer with respect to a briefing schedule in the event such a motion is filed;

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2. In the event that plaintiffs file a motion to remand, defendants' time to answer or otherwise respond to the complaint shall be 14 days after this Court issues a decision on the motion;

3. In the event plaintiffs do not file a motion to remand on or before August 29, 2008, defendants shall have until September 9, 2008 to answer or otherwise respond to the complaint.

Dated: New York, New York
August 14, 2008

LAW OFFICES OF BRUCE LEVINSON

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SO ORDERED:


U.S.D.J.

Date:

8/18/08